

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FRANK J. VOTTA and  
LYNN E. VOTTA,

Plaintiffs,

v.

AMERIPATH MORTGAGE CORP.,

Defendant.

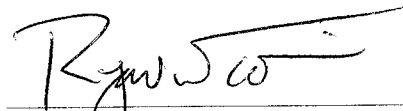
C.A. No. 05-11133-WGY

**DEFENDANT AMERIPATH MORTGAGE CORPORATION'S  
LOCAL RULE 16.1(D)(3) CERTIFICATION**

The undersigned hereby certify that they have conferred (1) with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation; and (2) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

AMERIPATH MORTGAGE  
CORPORATION

By: Jo Beth Montoya

  
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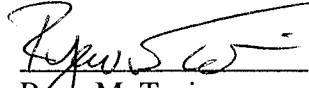
Attorneys for Ameripath Mortgage  
Corporation

Dated: October 5, 2005

CERTIFICATE OF SERVICE

I hereby certify that on October 6, 2005, I served a true copy of the foregoing document by electronic filing upon the following:

Christopher M. Lefebvre  
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Ryan M. Tosi